

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

In the Matter of

Civil Citation No.59774

Russell Bates  
Patricia Ann Bates

1713 Stokesley Road

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on June 9, 2009, for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-4-201 (d), failure to store garbage in cans with tight fitting lids; (BCC) section 35-5-208 (a)(c), failure to abate rats on residential property zoned DR 10.5 known as 1713 Stokesley Road, 21222.

On May 18, 2009, pursuant to § 3-6-205, Baltimore County Code, Inspector Ed Creed issued a Code Enforcement citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,500.00 (one thousand five hundred dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on May 4, 2009 for failure to store garbage in cans with tight-fitting lids. This Citation was issued on May 18, 2009.

B. Photographs in the file show bagged garbage piled on top of an overflowing garbage can, and also shows bagged garbage on the ground with contents strewn apparently by animals. This violates prohibitions against the accumulation of trash and garbage on residential property, and creates possible harborage and food for rats. Garbage must be properly stored at all times in cans with tight-fitting lids.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$100.00 (one hundred dollars).

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 18<sup>th</sup> day of June 2009.

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer